

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEVEN COHEN PRODUCTIONS, LTD.,

Plaintiff,

vs.

LUCKY STAR, INC. ,

Defendant.

Case No. 2:12-cv-01995-GMN-CWH

ORDER

This matter is before the Court on the Plaintiff's Proposed Discovery Plan and Scheduling Order (#43), filed on October 10, 2013. The Court has reviewed the Proposed Plan and finds that it does not comply with Local Rule ("LR") 26-1. LR 26-1(d) provides that "the parties shall submit a stipulated discovery plan and scheduling order." Only Plaintiff submitted the Proposed Plan and in doing so, indicated that a discovery planning conference will be held on or before November 4, 2013. However, the Court ordered the parties to submit a joint discovery plan in accordance with LR 26-1 within 10 days after an order was issued on the Motion to Dismiss (#19). Accordingly, a Joint Proposed Discovery Plan and Scheduling Order was due on October 10, 2013.

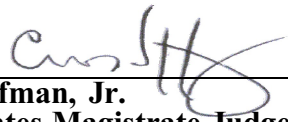
Additionally, the Proposed Plan sets the dates based on the deadline for Defendant's answer, which was set by a stipulation not submitted for Court approval. The parties are reminded that no stipulations are effective until approved by the Court, and that "[a]ny stipulation that would interfere with any time set for completion of discovery, for hearing of a motion, or for trial, may be made only with the approval of the Court." LR 7-1(b). Accordingly, the Court notes that the standard discovery dates provided by LR 26-1 should be sufficient to govern discovery in this matter with the modification that the discovery cutoff deadline should be measured from September 30, 2013, the date the Motion to Dismiss (#19) was decided. The Court will deny Plaintiff's Proposed Plan and order the parties to meet and confer and submit a new Joint Proposed Discovery Plan and Scheduling Order by October 23, 2013.

1 Based on the foregoing and good cause appearing therefore,

2 **IT IS HEREBY ORDERED** that Plaintiff's Proposed Discovery Plan and Scheduling
3 Order (#43) is **denied**.

4 **IT IS FURTHER ORDERED** that the parties shall submit a Joint Proposed Discovery
5 Plan and Scheduling Order by **October 23, 2013**.

6 DATED this 16th day of October, 2013.

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9 **C.W. Hoffman, Jr.**
United States Magistrate Judge